

FWS/OSM/C:/Delagationltr

Mr. Thomas H. Boyd
Assistant Regional Director, Subsistence Management
U. S. Fish & Wildlife Service
3601 C Street, Suite 1030
Anchorage, Alaska 99503

Dear Mr. Boyd:

This letter delegates regulatory authority from the Federal Subsistence Board to you as Assistant Regional Director of the Office of Subsistence Management to issue emergency special actions when necessary to assure the conservation of healthy wildlife populations and to provide for subsistence uses of wildlife on Federal lands subject to ANILCA Title VIII.

Overview

It is the intent of the Federal Subsistence Board that wildlife management by Federal officials be coordinated with the Alaska Department of Fish and Game and involve Regional Advisory Council representatives to conserve healthy populations while providing for subsistence uses. Federal managers are expected to cooperate with State managers and minimize disruption to resource users and existing agency programs, as agreed to under the Interim Memorandum of Agreement for Coordinated Fisheries and Wildlife Management for Subsistence Uses on Federal Public Lands in Alaska.

DELEGATION OF AUTHORITY

1. Delegation: The Project Leader of the Office of Subsistence Management is hereby delegated authority to issue emergency regulations (special actions) affecting wildlife on Federal lands as outlined under 2. Scope of Delegation.

2. Scope of Delegation: The regulatory authority hereby delegated is limited to authority to open, close or adjust Federal subsistence wildlife seasons and to set harvest and possession limits. This delegation may be exercised only when it is necessary to conserve wildlife populations or to continue subsistence uses, and only after staff analysis of the potential action and unanimous consent of the Staff Committee.

All other proposed changes to codified regulations, such as customary and traditional use determinations, Section 804 determinations or adjustments to method or means of take, shall be directed to the Federal Subsistence Board.

The Federal lands subject to this delegated authority are those described in the Subsistence Management Regulations for Public Lands in Alaska. You will coordinate your decisions with all affected Federal land managers and the Alaska Department of Fish and Game.

3. Effective Period: This delegation of authority is effective from the date of this letter, and continues until revoked by the Federal Subsistence Board.

4. Guidelines for Delegation: You will become familiar with the management history of wildlife in the region, with the current State and Federal regulations and management plans, and be up-to-date on population and harvest status information. You will review special action requests or situations that may require a special action and all supporting information to determine (1) if the request/situation falls within the scope of delegation, (2) if significant conservation problems or subsistence harvest concerns are indicated, and (3) what the consequences of taking an action may be on potentially affected subsistence users and non-subsistence users. Requests not within your delegated authority will be forwarded to the Federal Subsistence Board for consideration. You will keep a record of all special action requests and their disposition.

You will immediately notify the Federal Subsistence Board and Staff Committee, and notify/consult with local ADF&G managers, Regional Advisory Council members, and other affected Federal conservation unit managers concerning special actions being considered. You will issue timely decisions. Users, affected State and Federal managers, law enforcement personnel, and Regional Advisory Council representatives will be notified before the effective date/time of decisions. If an action is to supersede a State action not yet in effect, the decision will be communicated to affected users, State and Federal managers, and Regional Advisory Council representatives at least 24 hours before the State action would be effective.

You may defer a special action to the Federal Subsistence Board in instances where the proposed management action will significantly restrict a large number of Federal subsistence users. Such deferrals should not be considered where immediate management actions are necessary for conservation purposes.

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5. Support Services: Administrative support for management activities will be provided by the Office of Subsistence Management, U.S. Fish & Wildlife Service, Department of the Interior.

6. Authority: This delegation of authority is established pursuant to 36 CFR 242.10(d)(6) and 50 CFR 100.10(d)(6).

This delegation of authority will assure conservation of wildlife populations through sound management decisions in cooperation with State managers, thereby providing for the long-term needs of the subsistence user.

Sincerely,



Mitch Demientieff, Chair
Federal Subsistence Board

cc: Members of the Federal Subsistence Board
Regional Council Chairs
Mr. Stanley Pruszenski, Assistant Regional Director - Law Enforcement, U.S. Fish and
Wildlife Service
Mr. Frank Rue, Commissioner, Alaska Department of Fish and Game